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CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION**
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21 MC 102 (AKH)

ROSA GANDIA,

DOCKET NO.:
08 CV 4936

Plaintiff,

-against-

**100 CHURCH, LLC., 80 LAFAYETTE
ASSOCIATES, LLC., AMBIENT GROUP,
INC., B.R. FRIES & ASSOCIATES, INC., BLUE
MILLENNIUM REALTY LLC, CENTURY 21, INC.,
CUNNINGHAM DUCT CLEANING CO.,
INC., GPS ENVIRONMENTAL CONSULTANTS, INC.,
GREENWICH COURT CONDOMINIUM
ASSOCIATION CORP., GRUBB & ELLIS
MANAGEMENT SERVICES, HILLMAN
ENVIRONMENTAL GROUP, LLC.,
INDOOR ENVIRONMENTAL TECHNOLOGY,
INC., LAW ENGINEERING P.C., MAYORE
ESTATES, LLC, MAYORE ESTATES LLC
AND 80 LAFAYETTE ASSOCIATION LLC
AS TENANTS IN COMMON, MERRILL LYNCH
& CO., INC., STONER AND COMPANY, INC.,**

**NOTICE OF
ADOPTION
OF ANSWER TO
MASTER COMPLAINT**

**TRC ENGINEERS, INC., and ZAR REALTY
MANAGEMENT, CORP., et al.**

Defendants.

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PLEASE TAKE NOTICE, that defendant **CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC.** ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
August 28, 2008

Kevin G. Horbatiuk
Kevin G. Horbatiuk (KGH4977)
Matthew P. Mazzola (MM7427)
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**CUNNINGHAM DUCT WORK s/h/i/a
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TO: CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiff
ROSA GANDIA
115 Broadway 12th Floor
New York, New York 10006
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CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 28th day of August, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiff

ROSA GANDIA
115 Broadway 12th Floor
New York, New York 10006

A handwritten signature in black ink, reading "Kevin G. Horbatiuk". The signature is written in a cursive, flowing style.

KEVIN G. HORBATIUK